

Kerala Gazette No. 42 dated 21st October 2008.

PART I

Section iv



GOVERNMENT OF KERALA

Local Self Government (RD) Department

NOTIFICATION

G. O. (P) No. 219/2008/LSGD. *Dated, Thiruvananthapuram, 4th August 2008.*

S.R.O.No. 1084 /2008.—Whereas the Government have in G.O. (Ms.) No. 190/79 LA&SWD dated 18th August, 1979 published as S.R.O. No. 1064/79 in the Kerala Gazette No. 38 dated 25th September, 1979 sanctioned the Development Plan for Kottayam Town under sub-section (3) of section 12 of the Town Planning Act, 1108 (IV of 1108);

AND WHEREAS, it is required to vary the said Scheme for the purpose of making the zoning regulations compatible to the present development scenario;

AND WHEREAS the Government have published the proposed variation in the Development Plan issued under notification, in G.O.(Ms.) No. 195/07/LSGD dated 7th August, 2007, in the Kerala Gazette Extraordinary No. 1532 dated 17th August, 2007 as required under clause (b) of sub-section (2) of section 13 of the Town Planning Act, 1108 (IV of 1108), read with rule 71 of the Town Planning Rules 1113 ME.

NOW THEREFORE, in exercise of the powers conferred by sub-section (2) of section 13 of the Town Planning Act, 1108 (IV of 1108), the Government of Kerala after considering all objections and suggestions received in respect of the proposed variation in the Development Plan, hereby vary the Development Plan for Kottayam Town sanctioned under sub-section (3) of section 12 of the Town Planning Act, 1108 (IV of 1108) issued in G.O. (Ms.) No. 190/79/LA&SWD dated 18th August, 1979, and published as S.R.O. No. 1064/79 in the Kerala Gazette No. 38 dated 25th September, 1979; to the extent as indicated below, namely:—

G. 745/2008/DTP.

VARIATION

In the said scheme,

(i) for “Chapter 4 BROAD ZONING REGULATIONS” included in SECTION III Kottayam Town Planning proposals, the following shall be substituted, namely:—

“CHAPTER 4

ZONING REGULATIONS

1. All future developments shall be in conformity with provisions of the Development Plan. All future constructions within the planning area boundary prescribed in the Development Plan shall also conform to the Kerala Municipality Building Rules.
2. For the implementation and enforcement of the proposals envisaged in the Development Plan for the town, areas have been zoned under various uses such as Residential, Commercial, Industrial, Public and Semi-public etc. Details regarding the nature of uses, namely, “Permitted”, “Restricted” and “Prohibited” in each zone are given below.
3. Uses “Permitted” in a zone cover the uses that can be normally accommodated in the relevant zone. In some cases it may be possible to permit some other uses also which are not likely to affect the quality and environment in a zone specified for the particular use. Such cases have to be individually studied based on the performance characteristics and special locational factors. Such cases which come under this category are classified as “Uses Restricted”. “Uses Prohibited” enlists the various objectionable uses in each zone, which shall not be permitted under normal circumstances.
4. Zoning regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations. They are essentially intended to help the competent authority in decisions regarding granting or refusal of planning permissions for land use conversions and construction of buildings/ structures or any other matter specifically mentioned in these regulations.

5. Existing areas and structures of archeological importance, agricultural uses and religious uses may be permitted to continue in all zones.

RESIDENTIAL ZONE

1. Uses permitted

Remarks

All residences including residential flats/apartments, boarding houses, rest houses, orphanage/old age homes/dharmasala, ashram/mutts, professional offices and studios of the residents, retail shops/professional offices/commercial offices or establishments with total floor area limited to 100 sq. m. in an individual plot, ATMs, day care and creches, nursery/kindergarden/primary school, library and reading rooms, social welfare centres, clinics (out patient), community halls total floor area up to 200sq.m. clubs total floor area up to 100 sq.m. parks and playgrounds incidental to the residential uses, taxi/jeep/autorickshaw stands, public utility buildings such as water supply, drainage and electric installations of a minor nature and small service industries of a non-nuisance nature (Annexure I) engaging not more than 3 workers with power limited to 5 HP or 6 workers without power.

2. Uses restricted

- (i) Hostels, commercial offices total floor area up to 200 sq.m. educational institutions up to higher secondary level, printing press, local/state/central Government/public sector offices, cultural and information centres, parking plaza and smoke-house attached to a residential building.

Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area.

- (ii) Other educational and research institutions, fuel filling stations, transmission/telecommunication towers and wireless stations, small auto garages engaging not more than 5 workers and other non-nuisance type service industries (Annexure I) engaging not more than 10 workers with power limited to 10 HP or 20 workers without power and areas or buildings for religious uses.
3. Uses prohibited
- Any other use not specified in para 1 and para 2 above.

COMMERCIAL ZONE

1. Uses permitted

Retail and wholesale shops, godowns and ware houses, professional offices, studios, commercial offices, banks and financial institutions, clinics (OP), diagnostic centres, police post/station, fire post/station, post & telegraph office, community halls, library & reading rooms, auditorium/wedding halls, theatres, cinemas, hostels, hotels, lodging houses, restaurants, parking plazas/taxi/jeep/autorickshaw/cart stand, bus stands, parks and open spaces, non-nuisance types of service and light industries employing not more than 10 workers and using 15 HP motors or employing not more than 20 workers without power, existing residential uses, residential buildings total floor area upto 300 sq.m., public utility areas and buildings, transmission/telecommunication towers and wireless stations and all existing uses permitted in public and semi public use zone.

Remarks

2. Uses restricted

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| <p>(i) All residences, ashram/madam, social welfare institutions, printing presses, automobile service stations-light vehicles, stacking yards, truck terminals and all uses permitted in public and semi-public use zone.</p> <p>(ii) Industrial uses of non-nuisance character employing not more than 20 workers and not exceeding 30 h.p., Fuel filling stations and areas and buildings for religious uses.</p> | <p>Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area.</p> <p>Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner.</p> |
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3. Uses prohibited

Any other use not specified in para 1 and para 2 above.

INDUSTRIAL ZONE 1 AND 2
(NAGAMPADAM—CHUNGAM
INDUSTRIAL ZONE/NEAR RAILWAY
STATION/OTHER INDUSTRIAL ZONES
EXCEPT INDUSTRIAL ZONE 3)

1. Uses permitted

Non-obnoxious and non-nuisance type of service or light industries, residential uses incidental to industrial use, residences total floor area up to 300 square metre, shops and offices, restaurant/canteen total floor area up to 100 sq.m. godowns/warehouses/storages non-hazardous nature, automobile showrooms, weighbridge, information technology/software units, printing press, information technology hardware/electronic industries, stacking units, automobile workshops, automobile service stations-light & heavy vehicles, spray painting workshops, saw mills, transmission/telecommunication towers and wireless stations, parks and open spaces, auto/taxi/jeep stand, parking plaza, junk yards and public utility areas and buildings.

Remarks

2. Uses restricted

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| (i) Residences (floor area above 300 Sq.m.), ashram/mutt, hostels and boarding houses, night shelters, orphanage/old age homes, dharmasala, guest houses/lodges, educational institutions upto higher secondary level, technical training centre/poly technique, library & reading rooms, social welfare centres, local/state/central government/public sector offices. | Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area. |
| (ii) Fuel filling stations, other educational institutions, research & development institutes, religious centres, obnoxious and nuisance character industries, minor storage of explosives and fire works, poultry farm, piggery farms. | Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner. |

3. Uses prohibited

Any other use not specified in para 1 and para 2 above.

**INDUSTRIAL ZONE 3 (KODIMATHA
INDUSTRIAL ZONE)**

1. Uses permitted

All types of industries other than obnoxious and nuisance type Industries (*See Annexure II*), retail business and whole sale business incidental to the industries, storage and godowns, public and semi-public offices incidental to the industrial use and ware-housing, residences incidental to industrial use, transmission/telecommunication towers and wireless stations, automobile showrooms, weighbridge, information technology/software units, parks and open spaces and public utility areas and buildings.

Remarks

2. Uses restricted

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| <p>(i) Residences total floor area not exceeding 300 sq.m., night shelters, guest houses/lodges, shop/professional offices/banking and financial institutions/restaurants and canteen total floor area upto 200 sq.m., local/state/central government/public sector offices, transport terminals, landing places, junkyards and stacking yards.</p> | <p>Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area.</p> |
| <p>(ii) Fuel filling stations, obnoxious and nuisance type industries, minor storage of explosives and fire works, cremation ground/crematorium/burial ground/common vault, gas godowns, dairy farms, smoke house, dumping yards, sewage treatment plants.</p> | <p>Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner.</p> |

3. Uses prohibited

Any other use not specified in para 1 and para 2 above.

PUBLIC AND SEMI PUBLIC ZONE

1. Uses permitted

Local, State and Central Government offices, social and cultural establishments, community facilities including hospitals, clinics, educational institutions etc. public utilities and related buildings and religious buildings, transmission/telecommunication towers and wireless stations, residential uses incidental to uses permitted and all permitted activities in the residential zone.

Remarks

2. Uses restricted

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| (i) Hostels, night shelters, guest houses/ lodges, shops, professional offices, commercial offices/ establishments, banking and financial institutions, movie halls, hotels, market, godowns/ warehouses/storage total floor area upto 500 sq.m. non hazardous, automobile showrooms, weigh-bridge, printing press. | Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area. |
| (ii) Fuel filling stations, transport terminals, cremation grounds, burial grounds and related constructions, dairy farms, poultry farms, piggery farms, dumping yards, sewage treatment plants. | Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner. |

3. Uses prohibited

Any other use not specified in para 1 and para 2 (i) and 2 (ii) above.

PARK AND OPEN SPACE ZONE

1. Uses permitted

Remarks

Tot lots, parks and open spaces, traffic park, play grounds, fair grounds, open air theatres and outdoor games stadium.

In the parks and open space zone in Nattakom Grama Panchayat area all uses permitted in residential, commercial and public and semi-public use zones are also permitted.

2. Uses restricted

ATMs, Restaurants/Canteens total floor area up to 50 square metre, gymnasium/yoga centres.

Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner.

3. Uses prohibited

Any other use not specified in para 1 and para 2 above.

AGRICULTURAL ZONE

1. Uses Permitted

Remarks

Agriculture and Horticulture, Pastures and Grazing grounds, Fodder cultivation, Fish farms, Seed farms, Pump houses, Wells and irrigation ponds, Storage of agricultural produces and seeds, Green houses transmission/telecommunication towers.

2. Uses Restricted

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| <p>(i) Single family residential buildings of total floor area upto 300 square metre, Shops total floor area upto 100 sq.m., Cottage Industries, Automobile work shop 2/3 wheelers in areas which are substantially built up with lawful residential buildings on the date of this notification, Dairy and Poultry farms and public utility areas and buildings such as water supply, drainage and electric installations of a minor nature.</p> | <p>Usage of items shall be restricted by the executive authority with the concurrence of the Town Planner of the State Town Planning Service having jurisdiction over the area.</p> |
| <p>(ii) Milk processing plants, storage and processing of farm products, service and repair of farm machinery, burial grounds and cremation grounds and religious uses.</p> | <p>Usage of items shall be restricted by the executive authority with the concurrence of the Chief Town Planner.</p> |

3. Uses Prohibited

Any other uses not specified in para 1 and para 2 above.

GENERAL GUIDELINES

The zoning regulation shall be subject to the following additional provisions or modifications, namely:—

1. In lands to a depth of 50 metres in residential zone and in lands to a depth of 100 metres in commercial, public & semi public and industrial zones on either sides of roads having an existing or proposed width of 12 metres or more, uses permitted in residential, commercial and public and semi public zones may also be permitted by the executive authority, if such uses are not allowable otherwise in the zoning regulations.

In the case of roads having existing/proposed width of 25m the depth of such mixed zone may be increased to 100m in residential zone and 200m in commercial, industrial and public & semi public zones.

In the case of contiguous plots in residential zone, which have a minimum frontage of 25m on such roads, mixed use as above may be permitted to a depth of 100 metres for plots abutting roads having an existing or proposed width of 12 metres or more and 200 metres for plots abutting roads having an existing or proposed width of 25 metres or more. However such uses may not be permitted in the residential zone if the area is substantially developed as a residential area.

2. In residential zones if the area is substantially developed as residential, the zoning regulation spelt out in the scheme shall continue.

3. In residential zones, for hospitals, the following additional restrictions shall apply:-

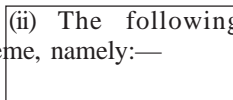
For hospitals; the minimum extent of land shall be 0.20 hectare with coverage and floor area ratio limited to 30% and 1.0 respectively.

4. Coverage and Floor Area Ratio of all constructions (even if otherwise mentioned anywhere in these guidelines) under restricted uses for which concurrence is granted in Residential zone, the provision for additional Floor Area Ratio with fee as prescribed in the Kerala Municipality Building Rules 1999 will not be applicable.

5. Regulation of constructions on the sides of new roads/ roads proposed for widening as per the scheme shall be governed by the distance from the centerline of the road, unless otherwise specified in the Detailed Town Planning Schemes or any detailed road alignments approved by the Chief Town Planner.

6. Regarding the assessment of permissibility of uses classified under the category 'Restricted Uses', the Chief Town Planner may issue general guidelines from time to time and such guidelines shall be adhered to by the responsible authorities."

(ii) The following shall be added at the end as the Annexure of the scheme, namely:—



“ANNEXURE—I

Type of non-obnoxious and non-nuisance type of service or light industries permissible in Residential zones

1. Flour Mills
2. Embroidery and lace manufacturing
3. Gold and silver smithy
4. Watch, Pen and spectacles repairing
5. Laundry, Drycleaning and dyeing
6. Photo and picture framing
7. Manufacture and repair of musical instruments
8. Automobile servicing (excluding repair)
9. Radio and Television servicing and repairing
10. Cotton and silk printing
11. Bakeries
12. Confectioneries
13. Cold storage
14. Aerated waters and fruit beverages
15. Manufacture of Tobacco products
16. Garment making/tailoring
17. Electroplating
18. Bamboo and cane products
19. Sports goods
20. Cardboard box and paper products
21. Domestic electrical appliances
22. Toy making
23. Furniture without machinery
24. Wooden electrical accessories
25. Copper, brass and metal utensils
26. Small foundries
27. Padlocks
28. Sanitary fittings and other similar industries.

ANNEXURE—II

**List of obnoxious or nuisance industries subject to objectionable odours,
fumes, effluents or processes to be located in the Industrial Zone
(Grouped under Indian Standard Industrial Classification)**

1. Manufacture of food stuffs:
2. Slaughtering, preservation of meat, fish and cleaning fish.
3. Manufacture of Beverages:
4. Production of distilled sprits, wines, liquor etc. from alcoholic malt fruits and malts in distillery and brewery.
5. Production of country liquor and indigenous liquor such as toddy, liquor from mahua, Palm juice.
6. Manufacture of wood and wooden products.
7. Sawing and planing of wood
8. Wood seasoning and creosoting
9. Manufacturing of veneer and plywood
10. Paper pulp and straw board
11. Manufacture of leather and leather products:
12. Curing, tanning and finishing of hides and skins and preparation of finished leather.
13. Manufacture of Rubber, Petroleum and Coal products:
14. Manufacture of tyres and tubes
15. Manufacture of Industrial and Synthetic rubber
16. Reclamation of rubber
17. Production of petroleum, Kerosene and other petroleum products in Refineries
18. Production of Chemicals and Chemical products
19. Manufacture of Chemicals and Chemical products
20. Manufacture of basic industrial chemicals such as acids, alkalies and their salts not elsewhere specified (specially sulphurous, sulphuric, nitric, hydrochloric etc. acids), ammonia, chlorine and bleaching powder manufactures.

21. Manufacture of dyes, paints, colours, and varnishes, printing ink etc.
22. Manufacture of fertilizers (specially from organic materials)
23. Manufacture of disinfectants and insecticides
24. Manufacture of Ammunition, explosives and fire works
25. Manufacture of Matches
26. Manufacture of non-metallic mineral products other than petroleum and coal :
27. Manufacture of cement and cement products
28. Manufacture of lime
29. Manufacture of Plaster of Paris
30. Manufacture of Basic metals and their products :
31. Manufacture of Iron and Steel including smelting, refining, rolling and conversion into basic forms
32. Manufacture of including smelting, refining etc. of non-ferrous metals and alloys in basic forms
33. Manufacture of armaments
34. Manufacture of machinery (other than transport) and electrical equipment :
35. Manufacture of all kinds of battery
36. Miscellaneous items not covered above :
37. Incineration, reduction or dumping of offal, dead animals, garbage or refuse.
38. Manufacture of gelatin and glue
39. Fat, tallow, grease or lard refining or manufacture
40. Bone meal, bone grist and bone powder
41. Other similar types of nuisance industries.”

By order of the Governor,

S. M. VIJAYANAND,
Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per sub-section (2) of section 13 of the Town Planning Act, 1108 (IV of 1108) Government may vary or revoke a scheme sanctioned under section 12 of the said Act. The Government have decided to vary the Development Plan for Kottayam Town sanctioned in G.O.(Ms.) No. 190/79 LA & SWD dated 18th August, 1979 and published as S.R.O. No. 1064/79 in the Kerala Gazette No. 38 dated 25th September, 1979 for the purpose of making the zoning regulations compatible to the present development scenario. A draft notification for the purpose was issued vide G.O.(Ms.) No. 195/07/LSGD dated 7th August, 2007 and published in the Kerala Gazette Extraordinary No. 1532 dated 7th August, 2007. After considering the objections/suggestions received on the above draft proposal, Government have now decided to issue the final notification.

This notification is intended to achieve the above object.
